

SENATE BILL REPORT

2SHB 1522

As of March 23, 2009

Title: An act relating to repair and reuse of electronic products by registered collectors.

Brief Description: Regarding repair and reuse of electronic products by registered collectors.

Sponsors: House Committee on General Government Appropriations (originally sponsored by Representatives Hudgins, Dunshee, Hunt, Hasegawa, Williams and Chase).

Brief History: Passed House: 3/05/09, 96-0.

Committee Activity: Environment, Water & Energy: 3/20/09.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Staff: Jan Odano (786-7486)

Background: Beginning in 2009 a program was implemented that provides free recycling of computers, monitors, laptops, and televisions for households, charities, small businesses, school districts, and small governments. The recycling program is funded by manufacturers of these products. All manufacturers currently participate in the standard recycling program under the Washington Materials Management and Financing Authority. Products may not be sold in Washington unless the manufacturer participates in an approved plan.

The Department of Ecology (DOE) adopted rules to implement the plan and set performance standards for those who collect, transport, and process products covered by the plan.

Under the rule, collectors who participate in the plan must be registered as collectors and they must submit what they collect under the plan for recycling. They are compensated for products they collect and submit for recycling. Collectors may take fully functional products and components for reuse rather than recycling. If products are taken for reuse, collectors may not receive compensation for them under the plan. This provision of the rule has been interpreted to exclude repair of a unit making it available for reuse.

Summary of Bill: Collectors under a recycling plan must be registered and must submit the products they receive to the plan except for fully functional products. Products in working order may be sold or donated for reuse.

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Computers that require repair may be refurbished by a registered collector at the collector's place of business. A registered collector may use parts taken from products collected under the plan but the remaining parts must be recycled under the plan. Repair may include new parts or used parts from computers they collect on a part-for-part exchange.

Collectors may not be compensated by the plan for products they take for reuse. They must maintain records of the sales and donations of reused computers for three years.

Collectors must display notice at the point of collection that computers may be repaired and resold or donated rather than recycled.

The Washington Materials Management and Financing Authority, another authorized party, or DOE may conduct site visits to registered collectors to ensure that computers taken for repair and reuse comply with the requirements of the electronic product recycling law.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Refurbishing and re-using electronic equipment is in-line with the intent of the original legislation that established the e-waste laws. This expands the ability of refurbishers before recycling without undoing current provisions of the law. The bill addresses a gap in original recycling law, it is focused on collectors. This maintains the integrity of the original program and prevents the shipment of products for recycling.

Persons Testifying: PRO: Representative Hudgins, prime sponsor; Lew McMurrin, Washington Technology Industry Association; Jay Shepard, DOE; Craig Lorch, Total Reclaim.